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8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues  
12 Against:

13 **JEHOVANY LOPEZ-TREVINO**

14 Respondent.

Case No. *2013-449*

**STATEMENT OF ISSUES**

15  
16 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

17 **PARTIES**

18 1. Complainant brings this Statement of Issues solely in her official capacity as the  
19 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer  
20 Affairs.

21 2. On or about December 17, 2010, the Board received an Application for Licensure by  
22 Endorsement from Jehovany Lopez-Trevino ("Respondent"). On or about November 23, 2010,  
23 Respondent certified under penalty of perjury to the truthfulness of all statements, answers, and  
24 representations in the application. The Board denied the application on February 13, 2012.

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1 (1) Been convicted of a crime. A conviction within the meaning of this section  
2 means a plea or verdict of guilty or a conviction following a plea of nolo contendere.  
3 Any action that a board is permitted to take following the establishment of a  
4 conviction may be taken when the time for appeal has elapsed, or the judgment of  
conviction has been affirmed on appeal, or when an order granting probation is made  
suspending the imposition of sentence, irrespective of a subsequent order under the  
provisions of Section 1203.4 of the Penal Code.

5 (3)(A) Done any act that if done by a licentiate of the business or profession in  
question, would be grounds for suspension or revocation of license.

6 (B) The board may deny a license pursuant to this subdivision only if the crime  
7 or act is substantially related to the qualifications, functions, or duties of the business  
or profession for which application is made.

### 8 **FIRST CAUSE FOR DENIAL OF APPLICATION**

#### 9 **(Conviction of Crimes)**

10 9. Respondent's application is subject to denial under Code sections 2761(f), and  
11 480(a)(1), in that he was convicted of the following crimes that are substantially related to the  
12 qualifications, functions or duties of a licensed registered nurse:

13 a. On or about December 15, 2003, in the case of *State of Florida v. Jehovany*  
14 *Lopez-Trevino*, (Circuit Court of the 1st Judicial Circuit, Okaloosa County, Case  
15 No. 2003 MM 003447 S), Respondent was convicted by the Court on his plea of nolo contendere  
16 to violating Florida Statute section 810 et seq. (trespassing).

17 b. On or about January 4, 2005, in the case of *State of Florida v. Jehovany Lopez-*  
18 *Trevino*, (Circuit Court of the 1st Judicial Circuit, Okaloosa County, Case No. 2004 CT 003962  
19 S), Respondent was convicted by the Court on his plea of nolo contendere to violating Florida  
20 Statute section 316.061(1) (leaving the scene of an accident without giving information with more  
21 than \$50 in damage)

22 c. On or about January 4, 2005, in the case of *State of Florida v. Jehovany Lopez-*  
23 *Trevino*, (Circuit Court of the 1st Judicial Circuit, Okaloosa County, Case No. 2004 CT 003961  
24 S), Respondent was convicted by the Court on his plea of nolo contendere to violating Florida  
25 Statute section 316.193(2A) (driving while under the influence of alcohol or drugs).

26 d. On or about November 3, 2005, in the case of *State of Florida v. Jehovany Lopez-*  
27 *Trevino*, (Circuit Court of the 1st Judicial Circuit, Okaloosa County, Case No. 2005 CT 002849  
28 S), Respondent was convicted by the Court on his plea of nolo contendere to violating Florida

1 Statute section 316.061(1) (leaving the scene of an accident without giving information with more  
2 than \$50 in damage).

3 **SECOND CAUSE FOR DENIAL OF APPLICATION**

4 **(Committed Acts Which If Done By A Licentiate)**

5 10. Respondent's application is subject to denial under Code section 480(a)(3)(A), in that  
6 he committed acts which if done by a licentiate of the profession would constitute grounds for  
7 discipline under Code sections 2761(f) (conviction of a crime substantially related to the  
8 qualifications, functions or duties of a license holder). The conduct described above in paragraph  
9 9, subdivision (c), would also constitute grounds for discipline under Code sections 2762(c)  
10 (convicted of a crime involving the consumption of alcohol); and 2762(b) (used alcoholic  
11 beverages to an extent or in a manner dangerous or injurious to himself and the public).

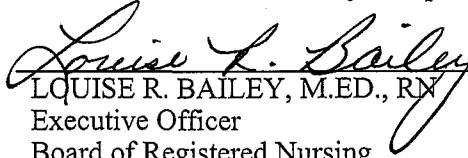
12 **PRAYER**

13 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,  
14 and that following the hearing, the Board of Registered Nursing issue a decision:

15 1. Denying the application of Jehovany Lopez-Trevino for a Registered Nurse License;  
16 and,

17 2. Taking such other and further action as deemed necessary and proper.

18 DATED: December 4, 2012

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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